

## WARREN COUNTY BOARD OF SUPERVISORS

### COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: OCTOBER 6, 2020

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BRAYMER  
HOGAN  
BEATY  
MERLINO  
SIMPSON  
STROUGH

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR DICKINSON

**OTHERS PRESENT:**

LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
MIKE SWAN, COUNTY TREASURER  
FRANK E. THOMAS, CHAIRMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
AMANDA ALLEN, CLERK OF THE BOARD  
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY  
KEVIN B. GERAGHTY, BUDGET OFFICER  
SUPERVISORS DRISCOLL  
FRASIER  
LEGGETT  
MAGOWAN  
SEEBER  
TOSHA BROWNELL, HELP DESK TECHNICIAN  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
JOE BRENNAN, ESQ., REPRESENTING BRUCE & PHYLLIS CONKLIN  
STEPHEN ENGLE, TOWN OF WARRENSBURG PROPERTY OWNER  
AUSTIN MARKEY, TOWN OF WARRENSBURG RESIDENT  
PAUL RYAN, ESQ., LEGAL COUNSEL FOR AUSTIN MARKEY  
JOHN SILVESTRI, ESQ., REPRESENTING MICHAEL TERRY  
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

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*Please note, the following contains a summarization of the October 6, 2020 meeting of the Environmental Concerns & Real Property Tax Services Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:*

<https://www.warrencountyny.gov/gov/comm/Archive/2020/environmental/>

***Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed". All committee members participated by video or teleconference, aside from Supervisors Braymer and Merlino, who were physically present.***

Ms. Braymer called the meeting of Environmental Concerns & Real Property Tax Services to order at 10:02 a.m.

Copies of the Real Property Tax Services meeting agenda was distributed to those present; those participating remotely accessed the agenda via the Warren County website. *A copy of the agenda is on file with the meeting minutes.*

Ms. Braymer announced today's special meeting was called as a result of conferences held during foreclosure proceedings. Privilege of the floor was extended to Lexie Delurey, *Director, Real Property Tax Services*, who addressed the Information for Discussion/Review section of the agenda, pointing out that the four properties listed in the agenda were among others that had been included in a motion for default judgement submitted to the Court by the County Attorney's Office. She explained submission of the default judgement had resulted in conferences between the property owners and Martin Auffredou, *Supreme Court Judge*, in accordance with the current Administrative Order which specified it was mandatory for the Court to hold a conference with the owners of properties in foreclosure to establish whether the foreclosure was a direct result of the COVID-19 pandemic. Ms. Delurey stated both

she and Robert Terwilliger, *First Assistant County Attorney*, had attended the conferences and she noted the properties listed on the agenda had been in foreclosure for several years before the start of the COVID-19 pandemic due to unpaid taxes and for no other reason.

Ms. Braymer extended privilege of the floor to Mr. Terwilliger who confirmed the delinquent tax parcels were part of a motion for default judgement due to non-response to a petition for tax delinquency, resulting in the requirement for a settlement conference; he indicated only the four parcels being discussed today had responded and attended the phone/video court conferences. Mr. Terwilliger stated the purpose of the settlement conferences was to determine whether the foreclosure for non-payment was in some way caused by the COVID-19 pandemic. He informed that Judge Auffredou had not ordered any action during the conferences, and was instead allowing the Committee to take action if they wished to do so.

Ms. Braymer reiterated Ms. Delurey's statement that these properties had been delinquent for several years. She reminded the Committee a Last Chance Meeting had been held and there were opportunities during the summer for the property owners to establish installment agreements with the County Treasurer's Office; however, she said, for the purpose of full transparency, she wanted to bring these to the Committee's attention.

Privilege of the floor was extended to Mike Swan, *County Treasurer*, who said the Treasurer's Office had been fully operational by phone during the building closure and he had personally made arrangements to collect payments in the parking lot to allow individuals the opportunity to make payments while the public was not allowed in the Municipal Center Building.

A discussion ensued, following which Ms. Braymer called for a motion to allow the owners of the four properties listed to make payment in full of all delinquent taxes, interest and fees by certified check or cash by close of the business that day (4:30 p.m.). She advised no installment agreements would be approved and reiterated payment in full would be required to remove a property from the foreclosure action. The requested motion was made by Mr. Simpson, seconded by Mr. Beaty and carried by majority vote, with Ms. Hogan voting in opposition.

Mr. Strough entered the meeting at 10:25 a.m.

Mr. Swan apprised anyone wishing to make payment must call his office to make an appointment. He stated there was availability throughout the day for appointments, but no one was permitted into the Municipal Center Building without an appointment.

Ms. Braymer called for any public comment and Don Lehman, *Director of Public Affairs*, read aloud those submitted by Helise Flickerstein.

There being no further business to come before the Environmental Concerns & Real Property Tax Services Committee, on motion made by Mr. Beaty, seconded by Ms. Hogan and carried unanimously, Ms. Braymer adjourned the meeting at 10:29 a.m.

Respectfully submitted,  
Molly Ganotes-Gleason, Legislative Office Specialist  
(As transcribed by Leslie Lovelace, Secretary to the Clerk of the Board)